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/S.N./ 10/14/2008

PATENT APPLICATION
Attorney Docket No.: 728-242 (YOR920040004US1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Andrew AARON et al.

GROUP ART UNIT: 2626

APPLICATION NO.: 10/825,578

EXAMINER: NEWAY, Samuel G.

FILING DATE: April 15, 2004

**FOR: A SYSTEM AND METHOD FOR IMPROVING TEXT-TO-SPEECH
SOFTWARE INTELLIGIBILITY THROUGH THE DETECTION OF UNCOMMON
WORDS AND PHRASES**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**37 C.F.R. § 1.131 DECLARATION OF PRIOR INVENTION
MADE IN THE UNITED STATES, TO OVERCOME CITED
PATENT PUBLICATION**

We, Andrew Aaron and Ellen Eide, do hereby declare that:

1. We are the inventors of the invention set forth in all the claims of U.S. Patent Application No. 10/825,578.
2. Our invention was conceived and reduced to practice in the United States of America.
3. Exhibit A provided with this Declaration is a photocopy of a record maintained in the ordinary course of business that establishes conception of our invention prior to July 31, 2003. (See p. 1 of Exhibit A.)
4. Exhibit A also shows diligence from prior to July 31, 2003, to a subsequent reduction to practice or to the filing of the present application on April 15, 2004. That is, diligence in reducing my invention to practice is shown by the following chronology of acts:

- a. By July 16, 2003, an International Business Machines (IBM) IDT Team performed a peer review of our invention (See p. 1 of Exhibit A);
 - b. By October 13, 2003, a leader of the IBM IDT Team evaluated our invention (See p. 4 of Exhibit A);
 - c. By January 7, 2004, the IBM IDT Team provided a final decision of our invention (See p. 5 of Exhibit A);
 - d. I have been informed that by January 7, 2004, the law firm of Dilworth & Barrese received instructions to draft a new patent application based on our invention;
 - e. By February 6, 2004, Dilworth & Barrese contacted us in conjunction with the preparation of a new patent application;
 - f. By March 12, 2004, Dilworth & Barrese provided a draft of the newly prepared patent application;
 - g. By March 25, 2004, Dilworth & Barrese received an evaluation of the draft of the patent application;
 - h. I have been informed that by April 2, 2004, Dilworth & Barrese provided to patent counsel at IBM a final draft of the patent application;
 - i. I have been informed that by April 12, 2004, Dilworth & Barrese received final instructions to file the patent application;
 - j. I have been informed that by April 12, 2004, Dilworth & Barrese completed the process of drafting and finalizing a new patent application; and
 - k. I have been informed that the finalized new patent application was filed with the U.S. Patent and Trademark Office on April 15, 2004 and assigned Application No. 10/825,578.
5. Accordingly, there was diligence from prior to July 31, 2003 to April 15, 2004, when the present application was filed.

6. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

Date: 9/24/2008

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of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

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